

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Maliek Simmons

Case: 2:23-mj-30045

Case No. Assigned To : Unassigned

Assign. Date : 2/2/2023

USA V. SEALED MATTER (CMP)(CMC)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 11, 2022 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 922(j)

18 U.S.C. § 922(j) - Knowingly Possessing Stolen Firearms

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: February 2, 2023

City and state: Detroit, Michigan



Complainant's signature

Special Agent Troy Williams (ATF)

Printed name and title



Judge's signature

Hon. Kimberly Altman, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT

I, Troy Williams, being first duly sworn, hereby state:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and have been since May of 2022. I am currently assigned to the Detroit Field Division. I have had extensive training at the Federal Law Enforcement Training Center in the Criminal Investigator Training Program and ATF Special Agent Basic Training.

2. Prior to becoming a Special Agent with the ATF, I was employed with the Detroit Police Department (DPD) for approximately five years as police officer before becoming a sergeant. During my employment with DPD, I was assigned to multiple specialized units including but not limited to the ATF Task Force as a task force officer. As an ATF task force officer, I investigated criminal violations relating to firearms, firearms trafficking, criminal street gangs and narcotics both as a case agent and assisting officer.

3. The facts contained in this affidavit come from my personal observations, my training and experience, my review of documents and statements, information obtained from other law enforcement officers and agents, and individuals with knowledge of this matter. This affidavit does not provide every detail I know regarding this investigation.

4. Based on ATF's investigation in this case, there is probable cause showing Maliek SIMMONS (B/M; DOB: XX/XX/2004) violated Title 18 U.S.C. § 922(j) (Knowingly Possessing Stolen Firearms), as discussed below.

Probable cause

5. On September 11, 2022, at approximately 4:31 am, a Kia SUV, that was reported stolen that same day, crashed through the front of the Freedom Holster Gun Shop, a Federal Firearms Licensee (FFL), located at 1310 S. Wayne Road, Westland, MI, 48186. A review of the video obtained from surveillance cameras from the FFL displayed approximately seven unknown individuals rush into the FFL and grab multiple firearms seconds before exiting the FFL. The FFL estimate approximately fifty firearms were stolen. The unidentified individuals exited through the front and ran east bound towards Hazelwood Street. It appears that the unidentified individuals were wearing facemasks, gloves, long sleeved shirts, and some were in possession of a bag. The individuals were inside the FFL for less than one minute.



Exhibits 1 and 2: Images taken from theft of Freedom Holster Guns Shop

6. In the weeks following the burglary, ATF agents utilized several investigative entities and techniques to obtain relevant information pertaining to the burglary of Freedom Holster Gun Shop.

7. As part of this investigation, ATF agents reviewed several social media posts. On September 19, 2022, Agents observed a series of photographs on Instagram uploaded by Instagram user ID “x.dizzleveon,” later identified as the Instagram account belonging to Tivon Jaquess Jr. Exhibit 3 depicts SIMMONS

who is standing next to Kenyatta Davis (XX/XX/2006) and Tivon Jaquess Jr. (XX/XX/2004), holding what appears to be a distinctive rifle style pistol with a dark buffer tube, dark pistol grip, dark barrel, lighter brown receiver, and lighter brown magazine.



Exhibit 3- cropped

Surveillance Conducted at LOCATION 1

8. On September 19, 2022, agents established fixed surveillance at Jaquess Jr's residence located at 18659 Forrer Street, Detroit Michigan 48235, hereinafter referred to as LOCATION 1. During surveillance, agents observed the following:

- a. Exhibit 4 depicts SIMMONS wearing a white hooded sweatshirt while standing on the porch at the front entry door to LOCATION 1.



Exhibit 4 – photograph from surveillance

- b. Exhibit 5 depicts SIMMONS standing with Timothy Ledbetter (XX/XX/2006) on the front porch of LOCATION 1.



Exhibit 5 – photograph from surveillance

ATF Search Warrant Execution at LOCATION 1

9. On September 20, 2022, agents executed a federal search warrant at the LOCATION 1. Agents located multiple people inside of the residence including Kenyatta Davis, Keijuan Watkins and other known associates of SIMMONS. Agents located several Freedom Holsters, FFL gun price tags. Agents also found one firearm on a dresser and six firearms split between two back-packs. Four of these firearms were reported stolen from the Westland burglary. The stolen firearms include:

- Arms Corp Philippines, STK100, 9m caliber pistol bearing the serial number: RIA2332766 (this firearm has a serial number that has attempted to be obliterated).
- Glock, model 22, 40 caliber pistol bearing serial number: BVKX282.
- Springfield XD 9, 9m caliber pistol, bearing the serial number: BA593586.
- FN, model 509, 9m caliber pistol bearing serial number: GKS0199169

Other firearms (two of which had obliterated serial numbers) located in the basement of the residence included:

- Glock model 22 gen 5,.40 caliber pistol bearing serial number: BXAE190.

- Rohrbaugh, model R-9, 9m caliber pistol imported by Deerpark, NY, serial number: R6664 (attempted to be obliterated).
- American Tactical, Omni Hybrid caliber pistol, bearing an obliterated serial number.

10. One of the stolen guns appears to be the same distinctive rifle style pistol with a dark buffer tube, dark pistol grip, dark barrel, lighter brown receiver, and lighter brown magazine that SIMMONS was depicted holding in Exhibit 3.

SIMMONS Instagram Review

11. During the month of November 2022, agents executed a search warrant to meta platforms, for information associated with an Instagram user ID “luhlieky” utilized by SIMMONS.

12. I conducted a review of the search warrant results related to the Instagram account associated to SIMMONS. Records provided by meta platforms, indicate that the email registered and associated to the IG user ID 3576105355 “luhlieky” is Malieksimmons29@gmail.com. I compared a Michigan Driver’s License photograph of SIMMONS to identify SIMMONS as predominantly in a majority of, and sometimes the only individual in, the images and videos posted to the Instagram account. Based on my review of the Instagram search warrant results, I believe Instagram user ID “luhlieky” belongs to SIMMONS.

13. Upon further review of SIMMONS Instagram account, I observed a video, hereinafter referred to as VIDEO 1, believed to be taken shortly after the Freedom Holsters FFL Burglary. VIDEO 1 is captured with a self-facing camera and depicts SIMMONS wearing a white hooded zip-up sweater with a white shirt underneath. SIMMONS appears to be in possession of a handgun with a green laser, surrounded by numerous males, including Keijuan Watkins, all brandishing various types of firearms with what appears to be tags attached, that match the description of firearms taken from Freedom Holsters, FFL. Exhibit 6 and 7 are screen captures from the video.



Exhibit 6



Exhibit 7

14. At one point, VIDEO 1 depicts the camera flipped to a front-facing angle, subsequently displaying what appears to be multiple firearms with tags

attached to them, on top of a bed with a reddish bed cover. Exhibit 8 and 9 are screen captures from VIDEO 1 that display a black and powder blue rifle, a distinctive pistol with a blue slide held by multiple individuals.



Exhibit 8



Exhibit 9

15. At another point in VIDEO 1, the camera is turned towards additional individuals who are also in possession of what appears to be firearms with tags attached to them. Exhibit 10 is a screen capture from VIDEO 1.



Exhibit 10

16. At the conclusion of VIDEO 1, Exhibit 11 depicts a juvenile individual, who has been identified during this investigation, wearing a light-colored sweatshirt, white and orange gloves with what appears to be a red Jordan emblem on them, while holding a distinctive black and pink rifle.



Exhibit 11

17. I observed a second video, hereinafter referred to as VIDEO 2, from SIMMONS Instagram account which depicts a powder blue and black rifle, like the rifle displayed in EXHIBIT 8, amongst other firearms with tags attached to them on top of a bed with reddish bedding. Exhibit 12 is a screen capture from VIDEO 2.



Exhibit 12

18. At one point in VIDEO 2, the camera turned towards SIMMONS who is standing next to a bed with a reddish bed cover. VIDEO 2 depicts SIMMONS retrieve a black handgun and point it towards the camera. At another point, the camera is panned, subsequently displaying what appeared to be multiple male individuals in possession of firearms with tags on them. Exhibit 13 is a screen capture from VIDEO 2.



Exhibit 13

19. At the conclusion of VIDEO 2, the camera is panned back towards the bed with a red cover, which has multiple firearms with tags on it along with what appears to be a dark colored glove. Exhibit 14 is a screen capture from VIDEO 2.



Exhibit 14

20. While reviewing VIDEO 1 and VIDEO 2, I recognized multiple tangible items within the video, such as, the grey dresser and the red bedding as being consistent with items depicted in Exhibit 15. Exhibit 15 is a screen capture of a photograph uploaded to the Instagram account associated to Jaquess Jr., which depicts numerous distinct firearms, both rifles and pistols, laying on a red cover with no less than six unidentified individuals standing around the firearms. The firearms depicted in Exhibit 15 were positively identified as matching the description of firearms that were stolen from Freedom Holsters, FFL, during the September 11, 2022 burglary.



Exhibit 15

21. Agents that were present during the execution of the search warrant at LOCATION 1 as previously mentioned in paragraph 9 and 10, recognized the dresser and red bed cover from the basement of LOCATION 1 where the stolen firearms and gun price tags from Freedom Holsters, FFL, were recovered. Therefore, agents believe this photograph was taken in the basement of LOCATION 1. Exhibit 9 from paragraph 14 is annotated with a red box to identify the dresser identified by agents.



Exhibit 9 - annotated

Freedom Holsters Surveillance Video

22. I reviewed the September 11, 2022, surveillance videos, hereinafter referred to as FFL SURVEILLANCE VIDEO from the Freedom Holsters, FFL burglary. I observed a male wearing a light-colored sweatshirt, white and orange gloves with what appears to be a red Jordan emblem take multiple firearms out of Freedom Holsters. Exhibit 16 and 17 are screen captures from the FFL SURVEILLANCE VIDEO which appear to depict the same clothing description as the individual depicted in Exhibit 11 paragraph 16, with SIMMONS in VIDEO 1. Exhibit 11 is marked for comparison to Exhibit 16 and 17.



Exhibit 16



Exhibit 17



Exhibit 11 - annotated

23. Upon further review of FFL SURVEILLANCE VIDEO, I observed multiple individuals enter Freedom Holsters and exit with multiple firearms to

include a black and blue rifle, a pink and black rifle and a blue camouflage print rifle, all similar in characteristics from paragraph 14, 16, 17 and 20. Exhibit 18, 19, 20, 21 and 22 are screen captures from FFL SURVEILLANCE VIDEO of individuals inside Freedom Holsters, grabbing firearms and exiting the store with firearms that appear to be the same as previously mentioned Exhibit 8, 11, 12 and 15.



Exhibit 18



Exhibit 19



Exhibit 12 - annotated



Exhibit 20



Exhibit 21



Exhibit 11 - annotated

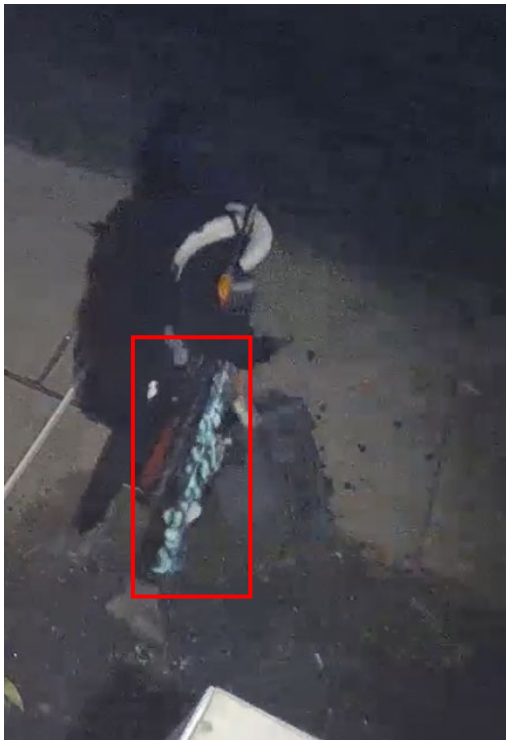


Exhibit 22

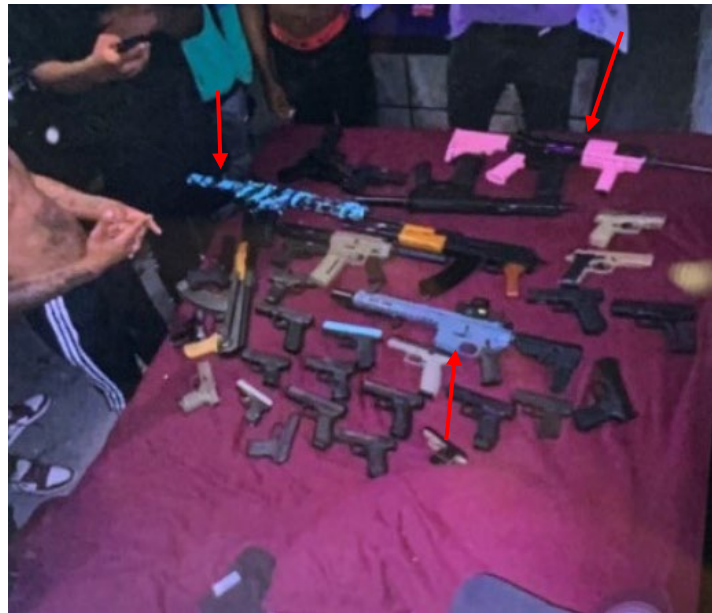


Exhibit 15 - annotated

Conclusion

24. Based on the aforementioned facts, I submit that there is probable cause showing that Maliek SIMMONS, violated Title 18 U.S.C. § 922(j) (Knowingly Possessing Stolen Firearms).

Respectfully submitted,



Troy Williams
Special Agent, ATF

Sworn to before me and signed in my presence
and/or by reliable electronic means.



Hon. Kimberly G. Altman
United States Magistrate Judge

Dated: February 2, 2023